IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 32562 of 1997

Between:

1 Labour Contract Co-operative Society Ltd., Rep. by its President K. Sree Ramulu Panagal, Nalgonda District
2 Maheshwari Parameshwari Wadders Contract Co-operative Society Ltd,. Rep. by its pre. G. Sathaiah. Narketpally, Nalgonda Dist.,
3 Shri Shirdi Saibaba Wadders Labour Contract Co-operative society Ltd., Rep. by its president B. Yadaiah. Kalavathi Nagar, Quthubullapur Mandal, Ranga Reddy District .
4 Sri Suryachandra Wadders Labour Contract Co-operative society Ltd., Rep. by its President K. Adinarayana. Sathayanarayan Puram Village, Kattangur Mandal Nalgonda District,
5 Navatha Wadders Stone Cutter Labour Contract Co-operative Society, Rep. by its President. Sreedhar Ashok Nagar, Hyderabad.
6 Telanga Waddera Sangam Labour Contract Co-operative Society Ltd., Rep. by its President G. Sathaiah. Manikeshwari Nagar, Hyderabad.
7 K. Venkataiah S/o. Rajaiah Haliah, Nalgonda District.
8 Orusu Malaiah S/o. Ramaswamy

Ashok Nagar, Hyderabad.
9 A. Narsimha S/o. Pullaiah Manikeshwari Nagar, Hyderabad.
10 V. Sreenivasulu Ashok Nagar, Hyderabad.
11 Orusu Bikshmaiah S/o. Yellaiah Auravavi Village, Narketpally Mandal. Nalgonda District.
12 Rupani Venkulu S/o. Maraiah
13 O. Shanker, Contractor

..... PETITIONERS

AND

1 Superintending Engineer, R&B Circle, Nizamabad.
2 Superintending Engineer, R&B Rural Circle, Balkampet Hyderabad.

dismissed for default vide court order dt. 6-9-2000

3 Superintending Engineer, R&B Head Quarter Circle,
Khairathabad, Hyderabad.

4 Managing Director, A.P.State Police Housing Corporation Ltd.,
Saifabad, Hyderabad.

5 Superintending Engineer, Public Health, Wealth,
Circle, Barkathpura, Hyderabad.

6 Superintending Engineer, Irrigation Circle,
Red Hills, Hyderabad.

7 Superintending Engineer, (SW), A.P.S.C.C.F.C. Ltd., Govt., of A.P.,
Hyderabad.

8 Superintending Engineer, S.L.E.C.Circle-I & ii,
G.V. Gudem, Nalgonda.

9 Chief Engineer, A.P. Industrial Infrastructure Corporation Ltd.
Saifabad, Hyderabad.

10 Superintending Engineer, (Irrigation),
Sujala Sravanthi Circle, Galleru Nagar,
Cuddapah District.

11 Superintending Engineer, P.J.P.Circle, Gadwal-II,
Pebbair.

12 Superintending Engineer,
Panchayatraj Circle Khammam.

13 Exective Engineer,
Panchayatraj, Ghatkesari, Rangareddy Dist.,

14 Commissioner,
Malkajgiri Muncipality, R.R. District.

15 Commissioner, Quthubullapur Muncipality,
R.R. District.

16 Commissioner, Uppal Muncipality,
R.R. District.

17 Commissioner, L.B.Nagar Muncipality,
R.R. District.

18 Commissioner, Kukatpally Muncipality,
R.R. District.

19 Commissioner, Alwal Muncipality,
R.R. District.

(RR.1 to 7, 9 to 19 dismissed for default vide court order dt. 6-9-2000)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or direction more particularly in the writ of mandamus declaring the action of the respondent authorities in insisting the petitioners for payment of Earnest Money Deposit, Commercial tax clearence certificate or imposing any condition or experience in connection with all tender notices issued on or after 11-11-1997 arbitrary, illegal, and unreasonable and consequently direct the respondents not to insist payment Earnest Money Deposit upto any value of the work, Commercial tax clearence certificate from the petitioners at the time of allotment of works in tender notices issued on or after 11-11-1997 and issue tender schedules to the petitioners in all tender notices issued on or after 11-11-1997

irrespective of condition or all types of work experience in whichever they register and pass

Counsel for the Petitioners: MR.KOONA REDDY ANJI REDDY

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following :

THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 32562 of 1997

ORDER:

The petitioners filed this writ petition seeking to declare the action of the respondents in insisting them for payment of earnest money deposit up to any value of the work, and production of commercial tax clearance certificate and experience certificate at the time of allotment of works or issuance of tender schedules in connection with all tender notices issued on or after 11-11-1997, as arbitrary and illegal, and consequently to direct the respondents not to insist them as such, and to issue tender schedules to them irrespective of any condition like all type of work experience and district in which they register.

When the matter came up today for hearing, none appears for the petitioners as well as the respondents.

The main relief and the interim relief sought for by the petitioners are one and the same. This Court while admitting the writ petition by order, dated 05-12-1997, granted interim direction in W.P.M.P. No.38236 of 1997. By virtue of the interim direction, no orders are required to be passed.

Therefore, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J

Date: 01-04-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Superintending Engineer, R&B Circle,
Nizamabad.
2 Superintending Engineer, R&B Rural Circle,
Balkampet Hyderabad.
dismissed for default vide court order dt. 6-9-2000
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R.R. District.

19 Commissioner, Alwal Muncipality,
R.R. District.

20 Two Ccs. to the Government Pleader for Roads & Buildings, High Court Buildings, A.P., Hyderabad (OUT).

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